## IN THE UNITED STATES DISTRICT COURT

## FOR THE EASTERN DISTRICT OF TEXAS

## TYLER DIVISION

MICHAEL E. CARR, #1510366 §

VS. § CIVIL ACTION NO. 6:14cv527

RICK THALER, ET AL. §

## ORDER OF PARTIAL DISMISSAL

The above-entitled and numbered civil action was heretofore directly assigned to United States Magistrate Judge K. Nicole Mitchell. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that Carr's claims against Director Rick Thaler and Senior Warden Kelvin Scott are **DISMISSED** with prejudice pursuant to 28 U.S.C § 1915A(b)(1). It is further

**ORDERED** that Carr may proceed with his deliberate indifference to safety claims against the remaining Defendants.

So ORDERED and SIGNED this 28th day of August, 2014.

LEONARD DAVIS UNITED STATES DISTRICT JUDGE